

SIKKIM



GOVERNMENT

GAZETTE

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**GOVERNMENT OF SIKKIM
SOCIAL JUSTICE, EMPOWERMENT AND WELFARE DEPARTMENT
(SOCIAL WELFARE DIVISION)
GANGTOK.**

No.13 /SJE&WD

Dated:- 22.3.2014.

NOTIFICATION

Whereas the State Government has deemed it expedient and necessary to frame rules for regulating grant of National Social Assistance Pension Scheme;

Now, therefore, the State Government hereby makes the following rules regulating grant of National Social Assistance Pensions Scheme, namely:-

Short title and commencement 1. (1) These rules may be called the Sikkim Social Assistance Pension Scheme, 2014.

(2) They shall come into force at once.

Definitions

2. In these rules, unless the context otherwise requires;

(a) "Department" means the Social Justice, Empowerment and Welfare Department;

(b) "Disability" means the disability as referred in Clause (i) of Section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 having the following disabilities, namely:-

- Blindness (visual impairment);
- Low vision;
- Leprosy cured;
- Hearing impairment;
- Locomotor disability;
- Mental retardation;
- Mental illness;

- (c) "Disability Screening Board" means the composition of Doctors and Specialist at the level of Primary Health Centres, CHCs and District Hospitals in the related specialty as constituted by the Government from time to time;
 - (d) "Form" means the form appended to these rules;
 - (e) "Government" means the Government of the State of Sikkim;
 - (f) "Local resident" means a person belonging to either Bhutia, Lepcha or Nepali Community possessing Sikkim Subject Certificate or Certificate of Identification;
 - (g) "Poor and Needy" means a person having no regular source of income of his/her own, no financial support from family members, Below Poverty Line Certificate holder or Income Certificate issued by Gram Vikash Adhikari of respective locality and is non-recipient of any other Pension from the State Government/Central Government or any other sources.
 - (h) (i) "Pension" means Indira Gandhi National Old Age Pension, Indira Gandhi National Widow Pension and Indira Gandhi National Disability Pension;
 - (ii) National Family Benefit Scheme;
 - (i) "Selection Committee" means the Social Assistance Pension Scheme Selection Committee constituted under rule 4;
- Amount of Pension 3. The amount of pension payable to each person shall be such as may be notified by the Government from time to time.
- Selection Committee 4. There shall be a Selection Committee for the purpose of selection of the Pensioners under the scheme consisting of the following members, namely:-
- (i) Principal Secretary/Head of the Department Social Justice, Empowerment and Welfare Department - Chairperson;
 - (ii) Joint Secretary, Social Welfare Division - Member;
 - (iii) Social Welfare Officer and any other senior Officer of the Social Welfare Division nominated by the Secretary-in-Charge of the Department. - Member.
- Eligibility for Pension 5. (i) Indira Gandhi National Old Age Pension Scheme: - For the purpose of this scheme the pensioner should be at the age group of 60 (sixty) years and above;
- (ii) India Gandhi National Disability Pension Scheme: - The pensioner should be at the age group of 18(eighteen) to 79(seventy-nine) years with severe and multiple disability as certified by the Medical Screening Board constituted by the Government from time to time.

(iii) Indira Gandhi National Widow Pension Scheme: - The beneficiary should be at the age group of 40(forty) to 79(seventy-nine) years;

(iv) National Family Benefit Scheme: This is a one-time grant and is provided to the Below Poverty Line family when the "primary breadwinner" of the family dies in an accident or due to natural death. The death of such 'primary breadwinner' should have occurred while he/she is within the age group of 18(eighteen) to 59(fifty-nine) years of age.

Number of persons eligible in a household.

6. In case both the husband and wife are old age persons and are eligible for Indira Gandhi National Old Age Pension Scheme, only one member of the family shall be awarded the pension. In case of death of the pensioner, such pension shall be transferred to his/her spouse, if alive on surrender of the pass book, provided he/she has attained the age of 60(sixty) years of age or more.

Authority Competent.

7. The Authority Competent to sanction pension referred to in Clause (h) of rule 2 shall be the Secretary-in-Charge, Social Justice, Empowerment Welfare Department.

Procedure for application.

8. Application for pension shall be made in the prescribed Form which can be obtained free of cost and shall submit along with (three) passport size photographs, attested copy of Sikkim Subject Certificate or Certificate of Identification, Below Poverty Line Certificate or Income Certificate issued by the Gram Vikash Adhikari of the respective blocks and date of birth certificate issued by Births and Deaths Cell of Health Care, Human Services and Family Welfare Department or any valid document containing date of birth.

Procedure for Grant of pension.

9. (1) On receipt of an application in the prescribed Form, the same shall be scrutinized by the Selection Committee regarding age, Sikkim Subject Certificate or Certificate of Identification, Below Poverty Line Certificate/ Income Certificate etc. and on complete/ satisfactory documents, approval shall be accorded by the Secretary.
- (2) A copy of the order for the grant and payment of pensions shall be endorsed to the District Collectors, Sub-Divisional Magistrates, Gram Vikash Adhikari and Panchayats where the applicant actually resides and the applicant himself/herself.

Payment of Pension.

10. (1) The Secretary-in-Charge, Social Justice, Empowerment and Welfare Department shall be the competent authority to make payment of Pension.
- (2) The pension shall be distributed through Direct Benefit Transfer System or any other system as may be decided by the Sanctioning / Competent Authority from time to time.

(3) The details of the beneficiary/maintenance of accounts etc. shall be maintained by the Social Justice, Empowerment and Welfare Department.

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| Verification | 11. If required, concerned officer of the Social Justice, Empowerment and Welfare Department shall make tour to village to verify the continued existence of the beneficiary and other relevant particulars. |
| Intimation of death of the Pensioner | 12. In the event of death of the beneficiary, the family member/Panchayat shall make report and also surrender the passbook to the Social Justice, Empowerment and Welfare Department, immediately. |
| Cessation of Pension | 13. (1) The pension shall be ceased to be drawn from the date of death of the beneficiary and permanent migration outside the State of Sikkim;

(2) In case of Indira Gandhi National Widow Pension scheme, the pension shall be ceased to be drawn from the date of her re-marriage.

(3) Each beneficiary of the Pensions should submit "Life Certificate" in the prescribed format in the month of November every year failing which it will be presumed that the beneficiary is either died or migrated outside the State of Sikkim and the payment of pension shall be stopped forthwith without further notice. |
| Penalty. | 14. The Sanctioning authority shall have the right to recover payments made on the basis of false or mistaken information, if any, about eligibility and death of beneficiaries. |

This supersedes Notifications No. 57/Home/95 dated 7th November, 1995 and the Notification No.11/SW, dated 15th March, 2001 respectively.

By order and in the name of the Governor.

**G.P. UPADHYAYA, IAS
PRINCIPAL SECRETARY
SOCIAL JUSTICE, EMPOWERMENT AND WELFARE DEPARTMENT
File No. GOS/SJE&WD/2013/7(1)**